

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FRANK LABUZ and HARRIET LABUZ,

Plaintiffs,

v.

CASCADES DIAMOND, INC.,

Defendant.

CIVIL ACTION NO. 04-30036-KPN

DEFENDANT, CASCADES DIAMOND INC.'S, OPPOSITION TO
PLAINTIFFS' MOTION TO CONVERT DEFENDANT'S MOTION TO DISMISS INTO
MOTION FOR SUMMARY JUDGEMENT AND REPLY TO PLAINTIFFS' OPPOSITION
TO DEFENDANT'S MOTION TO DISMISS

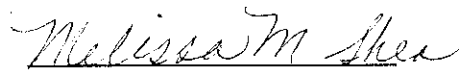
The Defendant, Cascades Diamond, Inc., hereby moves this Honorable Court to dismiss the Plaintiffs' Motion to Convert Defendant's Motion to Dismiss Into a Motion for Summary Judgment or In the Alternative Opposition to Defendant's Motion to Dismiss. The Defendant requests that this Honorable Court instead grant its Motion to Dismiss.

The Defendant incorporates herein by reference the Defendant's Memorandum of Law Supporting Motion to Dismiss.

THE DEFENDANT

Cascades Diamond, Inc.

By its attorneys, Sullivan, Hayes & Quinn,



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